

A4  
cond

16. (amended) A method for evaluating a possible treatment of disease comprising testing such treatment on a host cell according to claim 10.

A5

18. (amended) A method according to claim 16 wherein said disease comprises carcinogenesis.

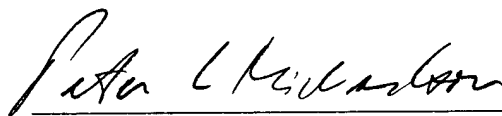
REMARKS

The foregoing amendment is made to eliminate multiple dependent claims.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached is captioned "Version With Markings to Show Changes Made".

Respectfully submitted,

29 October 2001



Peter L. MICHAELSON, Attorney  
Reg. No. 30,090  
Customer No. 007265  
(732) 530-6671

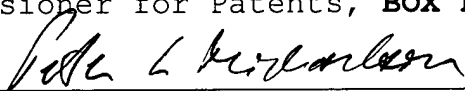
MICHAELSON & WALLACE  
Counselors at Law  
Parkway 109 Office Center  
328 Newman Springs Road  
P.O. Box 8489  
Red Bank, New Jersey 07701

**\*\*\*EXPRESS MAIL CERTIFICATION\*\*\***

"Express Mail" mailing label number: EL632364842US

Date of deposit: 30 October 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, **BOX PCT**, Washington, D.C. 20231.



\_\_\_\_\_  
Signature of person making certification

Peter L. MICHAELSON

\_\_\_\_\_  
Name of person making certification

VERSION WITH MARKINGS TO SHOW CHANGES MADEIN THE CLAIMS-

Claims 3, 5-10, 12, 14-16 and 18 have been amended as follows:

3. (amended) A nucleic acid according to claim 1 ~~or 2~~ comprising a nucleic acid or functional fragment thereof as shown from about position -778 to about position -422 in figure 1 or a nucleic acid functionally equivalent thereto.

5. (amended) A nucleic acid according to ~~anyone of claims 1 to 4~~ claim 1 further comprising a nucleic acid of interest.

6. (amended) A nucleic acid according to ~~anyone of claims 1 to 5~~ claim 1 further comprising an inducible or suppressible promoter or functional fragment thereof.

7. (amended) A nucleic acid according to ~~anyone of claims 1 to 6~~ claim 1 further comprising a suicide gene or functional fragment thereof.

8. (amended) A vector comprising a nucleic acid according to ~~anyone of claims 1 to 7~~ claim 1.

9. (amended) A gene delivery vehicle comprising a nucleic acid according to ~~anyone of claims 1 to 7~~ claim 1.

10. (amended) A host cell comprising a nucleic acid according to ~~anyone of claims 1 to 7, a vector according to claim 8 or a gene delivery vehicle according to claim~~ claim 1.

12. (amended) Use of a nucleic acid according to ~~anyone of claims 1 to 7, a vector according to claim 8 or a gene delivery vehicle according to claim 9 for the preparation of a medicament~~ claim 1.

14. (amended) A medicament comprising a nucleic acid according to ~~anyone of claims 1 to 7, a vector according to claim 8 or a gene delivery vehicle according to claim~~ claim 1.

15. (amended) A method for the treatment of cancer comprising administering to a patient a nucleic acid according to ~~anyone of claims 1 to 7, a vector according to claim 8 or a gene delivery vehicle according to claim~~ claim 1.

16. (amended) A method for evaluating a possible treatment of disease comprising testing such treatment on a host cell according to ~~claim 10 or an animal according to claim 11~~.

18. (amended) A method according to ~~claim 16 or 17~~ wherein said disease comprises carcinogenesis.